

ALICE RODRIGUEZ,

Plaintiff,

V.

KILOLO KIJAKAZI,
Acting Commissioner of Social Security,
Defendant.

Civil No. 1:21-cv-00463-ADA-BAM

STIPULATION AND ~~[PROPOSED]~~ ORDER TO EXTEND BRIEFING SCHEDULE

The parties stipulate through counsel that Defendant, the Acting Commissioner of Social Security (the “Commissioner”), shall have an extension of one day to respond to Plaintiff’s Opening Brief in this case. In support of this request, the Commissioner respectfully states as follows:

1. The Commissioner’s response to Plaintiff’s Opening Brief was due September 26, 2022. This is Defendant’s first request for an extension of this deadline.

2. Counsel for the Commissioner inadvertently calendared this matter based on a scheduling order for 45 days instead of the scheduling order in this case providing for 30 days to respond to Plaintiff’s brief.

3. Counsel for the Commissioner has consulted with Plaintiff’s counsel who advised that he has no objections.

4. This request is made in good faith and is not intended to delay the proceedings in this matter.

WHEREFORE, Defendant requests until September 27, 2022, respond to Plaintiff’s Opening Brief.

Date: September 28, 2022

PEÑA & BROMBERG, PLC

By: /s/ Caspar Chan for Jonathan Pena*
JONATHAN PENA
*Authorized by email on September 28, 2022
Attorneys for Plaintiff

Date: September 28, 2022

PHILIP A. TALBERT
United States Attorney
Eastern District of California

By: /s/ Caspar Chan
CASPAR CHAN
Special Assistant United States Attorney
Attorneys for Defendant

ORDER

Pursuant to the parties' stipulation, and cause appearing, Defendant's request for a one-day extension of time to file an opposition to Plaintiff's Opening Brief is GRANTED nunc pro tunc. Defendant's opposition was filed on September 27, 2022. (*See* Doc. 24.)

IT IS SO ORDERED.

Dated: September 28, 2022

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE